



# CEDAR PARK

CITY OF CEDAR PARK  
REGULAR CALLED MEETING OF THE  
PLANNING & ZONING COMMISSION  
**TUESDAY, APRIL 16, 2013 AT 6:30 P.M.**  
CEDAR PARK CITY HALL COUNCIL CHAMBERS  
450 CYPRESS CREEK ROAD, BUILDING FOUR, CEDAR PARK, TEXAS 78613

## COMMISSION MEMBERS

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> SCOTT ROGERS, Place 1      | <input type="checkbox"/> NICHOLAS KAUFFMAN, Place 5, Chair | <input type="checkbox"/> AUDREY WERNECKE, Place 4 |
| <input type="checkbox"/> THOMAS BALESTIERE, Place 2 | <input type="checkbox"/> KELLY BRENT, Place 7              | <input type="checkbox"/> HOLLY HOGUE, Place 6,    |
| <input type="checkbox"/> MICHAEL DION, Place 3      |  | Secretary   |

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
3. MINUTES: Approve Minutes from the Regular Meeting of March 19, 2013
4. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
5. ELECTION OF OFFICERS
  - A. Vice Chair
6. CONSENT AGENDA:
  - A. STATUTORY DISAPPROVAL:  
*(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)*
    1. BMC Lumber Subdivision Number 2, Resubdivision (SFP-13-003)  
23.85 acres, 3 commercial lots  
Located on BMC Drive, south of Brushy Creek Road  
Owner: Brushy Creek-CCP, LP  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Statutorily Disapprove
    2. Caballo Ranch Section 5 (FP-13-002)  
48.37 acres, 121 single family lots and 1 drainage/water quality lot  
Located on Paseo de Charros, east of Ronald Reagan Boulevard  
Owner: Felder M/I Caballo Ranch LLC  
Staff Resource: Rian Armiton  
Staff Proposal to P&Z: Statutorily Disapprove

3.      Peloquin Subdivision, Amended Plat of Lots 1-A and 1-C (FPD-13-001)  
         3.8 acres, 2 commercial lots  
         Located at the southeast corner of East Whitestone Blvd. and Arrow Point Drive  
         Owner: David Quintanilla and Kamaldeep Gill  
         Staff Resource: Amy Link  
         Staff Proposal to P&Z: Statutorily Disapprove
4.      Resubdivision of Prestige Addition, Resubdivision of Lot 1 Block A (FPD-13-002)  
         4.95 acres, 2 commercial lots  
         Located at 920 and 924 South Bell Boulevard  
         Owner: Steinberg Davidson LP and Elder Holdings LLC  
         Staff Resource: Amy Link  
         Staff Proposal to P&Z: Statutorily Disapprove

B.      SUBDIVISION APPROVALS:

1.      Avalon Cedar Park (SFP-13-002)  
         4.83 acres, 3 commercial lots  
         Located at the intersection of Lakeline Boulevard and Old Mill Road  
         Owner: 183 BLW LP and Evelyn LP & ET AL  
         Staff Resource: Amy Link  
         Staff Proposal to P&Z: Approve
2.      CWT&C Subdivision (SFP-12-011)  
         1.3 acres, 1 commercial lot  
         Located on RM 620, east of Blue Ridge Drive  
         Owner: CWT&C LTD  
         Staff Resource: Amy Link  
         Staff Proposal to P&Z: Approve
3.      Parkwest Estates Lot 41 Block B (SFP-12-019)  
         0.66 acres, 1 residential lot  
         Located on Cedar Park Drive, west of Bell Boulevard  
         Owner: Robert Gilfillan  
         Staff Resource: Amy Link  
         Staff Proposal to P&Z: Approve

7.      POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:

- A.      Creekside 32.38 Acres, Z-13-003 – Postponement request by applicant to May 21, 2013
- B.      Consideration on a proposed revision to Chapter 11 Zoning Ordinance, Article 11.03 Height, Setback and Lot Requirements for All Districts; and Article 11.12 Definitions to add definitions for existing and finished grade and establish height requirements based upon existing or finished grade. – Postponement request by Staff to May 21, 2013.

8. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS:

- A. Caspita Industries, Inc., Z-12-020 (related to item 9A)
- B. 3620 East Whitestone, Z-13-004 (related to item 9B)
- C. Spanish Creek, Z-13-005 (related to item 9C)

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Caspita Industries Ltd. to rezone approximately 10.51 acres from General Office (GO) to Townhome Residential (TH) for property located on Old Mill Road, west of Lakeline Boulevard. (Z-12-020)  
Owner: Caspita Industries, Ltd.  
Agent: Kristiana Alfsen, Pohl Partners  
Staff Resource Person: Amy Link  
Staff proposal to P&Z: General Office (GO)
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council
  - 3) P&Z Adoption of Final Report
- B. Consider a request by Cedar Park Automotive, Ltd. to rezone approximately 5.64 acres from General Retail (GR) to General Office (GO) for property located at 3620 East Whitestone Boulevard. (Z-13-004)  
Owner: Cedar Park Automotive, Ltd.  
Agent: David Holt, Holt Planners  
Staff Resource Person: Rian Amiton  
Staff proposal to P&Z: General Office (GO)
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council
  - 3) P&Z Adoption of Final Report
- C. Consider a request by Bula Lewis Farms to assign original zoning of Condominium Residential (CD) to approximately 1.03 acres and to rezone approximately 41.17 acres from Townhome Residential (TH) to Condominium Residential (CD) for property located west of Ronald Reagan Boulevard, north of East Whitestone Boulevard. (Z-13-005)  
Owner: Bula Lewis Farms  
Agent: Paul Linehan, Land Strategies, Inc.  
Staff Resource Person: Rian Amiton  
Staff proposal to P&Z: Condominium Residential (CD)
  - 1) Public Hearing
  - 2) P&Z Recommendation to City Council
  - 3) P&Z Adoption of Final Report

10. FUTURE LAND USE PLAN AMENDMENTS:

- A. Future Land Use Amendment for property located on Old Mill Road, west of Lakeline Boulevard (related to Z-12-020)
- B. Future Land Use Amendment for property located west of Ronald Reagan Boulevard, north of East Whitestone Boulevard (related to Z-13-005)

11. SUBDIVISIONS (ACTION AND PUBLIC HEARING):
  - A. F&G Subdivision Number One, Resubdivision of Lot 1 (SFP-10-012)  
20.36 acres, 3 commercial lots  
Located at the southeast corner of US 183A Toll Road and Brushy Creek Road  
Owner: 950 Brushy Creek Road, LLC  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve
    - 1) Public Hearing
    - 2) P&Z Action
12. CONDITIONAL/SPECIAL USE PERMITS (ACTION AND PUBLIC HEARING): **NONE**
13. ORDINANCE AMENDMENT PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:
  - A. Consideration of a proposed revision to Chapter 11 Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 33 Corridor Overlay, Section 11.02.278 to expand the boundary of the Corridor Overlay from 400 feet to 500 feet on either side of the street right-of-way for all roadways identified in the Overlay. (OA-13-001)
    - 1) Public Hearing
    - 2) P&Z Recommendation to City Council
  - B. Consideration of a proposed revision to Chapter 11 Zoning Ordinance, Article 11.03 Height, Setback and Lot Requirements for All Districts, Division 1 Building Setback, Height and Lot Standards, Sections 11.03.001 and 11.03.011 to clarify the minimum setback standards and to reduce the minimum distance between two principal buildings from 15 feet to 10 feet for structures within the Condominium Residential (CD) zoning district. (OA-13-002)
    - 1) Public Hearing
    - 2) P&Z Recommendation to City Council
  - C. Consideration of a proposed revision to Chapter 11, Article 11.01 Zoning Ordinance, Division 3 Administration, Section 11.01.016; and Article 11.02 Zoning Districts and Regulations, Division 35 Conditional and Special Use Permits; and Article 11.08 Performance Standards, Section 11.08.001 providing for interpretation of conflicting provisions within the Zoning Ordinance. (OA-13-003)
    - 1) Public Hearing
    - 2) P&Z Recommendation to City Council
  - D. Consideration of a proposed revision to Chapter 11 Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 11 Townhome Residential, Section 11.02.084; and Division 12 Condominium Residential, Sections 11.02.095 and 11.02.096; and Division 20 Commercial Services, Section 11.02.172; and Article 11.04 Accessory Structures, Division 1 Accessory Uses, Section 11.04.002; and Article 11.05 Architectural Design Standards, Division 2 Masonry Standards, Sections 11.05.008 and 11.05.009, clarifying the masonry standards within the Zoning Ordinance. (OA-13-004)
    - 1) Public Hearing
    - 2) P&Z Recommendation to City Council

14. DISCUSSION AND POSSIBLE ACTION: **NONE**

15. ADMINISTRATIVE ITEMS:

*(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)*

- A. Report on City Council Actions Pertaining to Zoning Matters from March 28<sup>th</sup> and April 11<sup>th</sup>
- B. Director and Staff Comments
  - 1. Summary of Comprehensive Plan Advisory Committee Meeting held March 25, 2013
- C. Commissioners Comments
- D. Request for Future Agenda Items
- E. Designate Delegate to Attend Next Council Meetings on April 25, 2013 and May 9, 2013.

16. ADJOURNMENT

*The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.*

*All agenda items are subject to final action by the Planning and Zoning Commission.*

*Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.*

*An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.*

*At the discretion of the Planning and Zoning Commission, non-agenda items may be presented by citizens to the Planning and Zoning Commission for informational purposes; however, by law, the Planning and Zoning Commission shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.*

*The City Attorney has approved the Executive Session Items on this agenda, if any.*

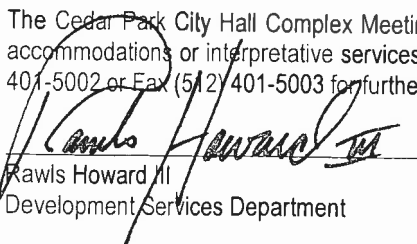
CERTIFICATE

I certify that the above notice of the Regular Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

APR 12 '13 AM 9:21

\_\_\_\_\_  
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park City Hall Complex Meeting Rooms are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or Fax (512) 401-5003 for further information.

  
Rawls Howard III  
Development Services Department

Notice Removed: \_\_\_\_\_  
Date Stamped (Month, Day, Year, AM/PM, Time)

MINUTES FOR  
CITY OF CEDAR PARK  
PLANNING & ZONING COMMISSION  
**TUESDAY, MARCH 19, 2013 AT 6:30 P.M.**  
450 CYPRESS CREEK ROAD, BUILDING FOUR, CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> SCOTT ROGERS, Place 1      | <input checked="" type="checkbox"/> NICHOLAS KAUFFMAN, Place 5, Chair | <input checked="" type="checkbox"/> AUDREY WERNECKE, Place 4        |
| <input checked="" type="checkbox"/> THOMAS BALESTIERE, Place 2 | <input type="checkbox"/> KELLY BRENT, Place 7                         | <input checked="" type="checkbox"/> HOLLY HOGUE, Place 6, Secretary |
| <input checked="" type="checkbox"/> MICHAEL DION, Place 3      |   |   |

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN  
**Chair Kauffman called the meeting to order at 6:30 P.M. Six Commissioners were present and a quorum was declared. He read the "Chairman's Sheet" explaining the meeting procedures.**
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS  
**Chair Kauffman led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.**
3. MINUTES: Approve Minutes from the Regular Meeting of February 19, 2013  
**MOTION: Commissioner Rogers moved to approve the Minutes of the Regular Meeting of February 19, 2013 Minutes as presented. Secretary Hogue seconded the motion. The motion passed unanimously, 6-0, with one absent.**
4. CITIZEN COMMUNICATIONS *(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)* **None.**
5. CONSENT AGENDA:
  - A. STATUTORY DISAPPROVAL: NONE.
  - B. SUBDIVISION APPROVALS:
    1. LISD Silverado East (PP-11-008)  
23.57 acres, 2 commercial lots  
Located at the southwest corner of Ranch Trails and South Frontier Lane  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve
    2. Cedar Park Warehouse and Storage (SFP-12-015)  
4.24 acres, 3 commercial lots  
Located at the northwest corner of West Whitestone Boulevard and Power Lane  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve**MOTION: Commissioner Balestiere moved to recommend approval of Consent Agenda Items 5B1 and 5B2 as presented. Commissioner Rogers seconded the motion. The motion passed unanimously, 6-0, with one absent.**
6. POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:
  - A. Creekside 32.38 Acres, Z-13-003 – Postponement request by applicant to April 16, 2013  
**Planning Manager Amy Link advised the applicant requested the postponement for Item 6A to allow more time to meet with the surrounding neighborhood. Staff supported the postponement.**

- B. Consideration on a proposed revision to Chapter 11 Zoning Ordinance, Article 11.03 Height, Setback and Lot Requirements for All Districts; and Article 11.12 Definitions to add definitions for existing and finished grade and establish height requirements based upon existing or finished grade. – Postponement request by Staff to April 16, 2013.

**Planning Manager Amy Link advised that staff had requested the postponement for Item 6B to allow more time to review the revisions.**

**Planning Manager Amy Link advised that the Applicant had requested a postponement of Z-12-020 (relating to Items 7A, 8A, and 9A) to April 16, 2013 after the agenda had been posted. The Applicant wanted to allow more time to receive feedback from the neighborhood.**

**MOTION: Commissioner Rogers moved to accept the postponement of Items 6A (Z-13-003), 6B (Ordinance Revision), and 7A, 8A, and 9A (relating to Z-12-020) to April 16, 2013. Commissioner Balestiere seconded the motion. The motion passed unanimously, 6-0, with one absent.**

**7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS:**

- A. Caspita Industries, Inc., Z-12-020 (related to item 8A)

**Postponed to April 16, 2013 – See Item 6.**

- B. Little Elm Zoning, Z-13-002 (related to item 8B)

**A correction was noted under the 'Site Information: Transportation' portion of the report changing "xxxx" to "collector roadway".**

**MOTION: Commissioner Balestiere moved to accept the Preliminary Report for Item 7B as corrected. Secretary Hogue seconded the motion. The motion passed unanimously, 6-0, with one absent.**

**8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:**

- A. Consider a request by Caspita Industries Ltd. to rezone approximately 10.51 acres from General Office (GO) to Townhome Residential (TH) for property located on Old Mill Road, west of Lakeline Boulevard. (Z-12-020)

Owner: Caspita Industries, Ltd.

Agent: Kristiana Alfsen, Pohl Partners

Staff Resource Person: Amy Link

Staff proposal to P&Z: General Office (GO)

1) Public Hearing

2) P&Z Recommendation to City Council

3) P&Z Adoption of Final Report

**Postponed to April 16, 2013 – See Item 6.**

**Chair Kauffman called up Item 14 out of order. See Item 14.**

- B. Consider a request by New Amstel LTD and TSSD-II LTD to rezone approximately 42.36 acres from Planned Development (PD), Multifamily (MF) and General Retail (GR) to Condominium Residential (CD) for property located near Little Elm Trail, west of South Bell Boulevard. (Z-13-002)

Owner: New Amstel LTD and TSSD-II LTD

Agent: Ron Thrower, Thrower Design

Staff Resource Person: Amy Link

Staff proposal to P&Z: Condominium Residential-Conditional Overlay (CD-CO)

- 1) Public Hearing
- 2) P&Z Recommendation to City Council
- 3) P&Z Adoption of Final Report

Planning Manager Amy Link made the presentation and was available for questions. The applicant requested rezoning of approximately 42.36 acres from Multifamily (MF), General Retail (GR) and Planned Development (PD) to Condominium Residential (CD) for property located near Little Elm Trail and west of South Bell Boulevard. The site is currently undeveloped. The Corridor Overlay would apply to the extension of Little Elm Trail. The Applicant's Neighborhood Communication Summary was submitted. The rezoning request is not compliant with the Future Land Use Plan (FLUP), but does support the housing goals of the Comprehensive Plan. Staff recommended approval of the applicant's request for Condominium Residential (CD) zoning with the following conditions: 1) The total number of residential units shall not exceed 250; and 2) All units shall be a detached, residential product.

Garret Martin, prospective developer of the tract, was present to answer questions. He advised that the roadway would provide additional access to the nearby elementary school. There would be a reduction in density compared to current zoning. There is a significant amount of neighborhood support for the rezoning request. They would also preserve the commercial base along US 183.

A public hearing was held on the above item. The following completed Recognition Cards requesting to speak in support of the rezoning request: 1) Greg Varnell and 2) David Boyer. They were enthusiastic about the project and thought it would help to maintain their property values. Elva and Gary Conrad signed a card without indicating support or opposition. They were not present during the public hearing. There being no further public testimony, the public hearing was closed and the regular session reopened.

There was general discussion among the Commissioners regarding market demand for this type of project.

**MOTION:** Commissioner Dion moved to recommend approval to the City Council of rezoning approximately 42.36 acres for Z-13-002 with staff recommendation of Condominium Residential-Conditional Overlay (CD-CO) with the following conditions: 1) The total number of residential units shall not exceed 250; and 2) All units shall be a detached, residential product. Commissioner Rogers seconded the motion. The motion passed unanimously, 6-0, with one absent.

**MOTION:** Commissioner Balestiere moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8B, Case Z-13-002. Secretary Hogue seconded the motion. The motion passed unanimously, 6-0, with one absent.

9. FUTURE LAND USE PLAN AMENDMENTS:

- A. Future Land Use Amendment for property located on Old Mill Road, west of Lakeline Boulevard (related to Z-12-020)

**Postponed to April 16, 2013 – See Item 6.**

- B. Future Land Use Amendment for property located near Little Elm Trail, west of South Bell Boulevard. (related to Z-13-002)

Planning Manager Amy Link advised that staff recommended amending the Future Land Use Plan (FLUP) designation for Z-13-002 as follows:



- Amend the Future Land Use map for 14.37 acres from Regional Office/Retail/Commercial to Medium Density Residential;
- Amend the Future Land Use map for 21.9 acres from High Density Residential to Medium Density Residential; and
- Amend the Future Land Use map for 6.09 acres from Employment center to Medium Density Residential.

**MOTION:** Commissioner Balestiere moved to recommend approval to the City Council of amending the Future Land Use Plan for Case Z-13-002 as presented by Staff. Commissioner Wernecke seconded the motion. The motion passed unanimously, 6-0, with one absent.

10. SUBDIVISIONS (ACTION AND PUBLIC HEARING)

- A. Twin Creeks Country Club Section 11, Resubdivision of Lot 10 Block S (SFP-12-016)  
8.09 acres, 1 condominium residential lot, 1 commercial lot  
Located at 3201 Twin Creeks Club Drive  
Owner: Twin Creeks Golf Group LP  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve  
1) Public Hearing  
2) P&Z Action

Planning Manager Amy Link made the presentation and was available for questions. She advised that staff had reviewed the plat and it met all state and local requirements. Staff recommended approval of the plat.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

**MOTION:** Commissioner Rogers moved to recommend approval of Item 10A, Case SFP-12-016, as presented by Staff. Secretary Hogue seconded the motion. The motion passed unanimously, 6-0, with one absent.

- B. Cedar Park Ranchettes Unit Two, Resubdivision of Lots 6 & 8, Block 4 (SFP-12-018)  
4.18 acres, 3 commercial lots  
Located at 880 and 900 West Whitestone Boulevard  
Owner: Jimmy Nassour  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve  
1) Public Hearing  
2) P&Z Action

Planning Manager Amy Link made the presentation and was available for questions. She advised that staff had reviewed the plat and it met all state and local requirements. Staff recommended approval of the plat.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

**MOTION:** Commissioner Balestiere moved to recommend approval of Item 10B, Case SFP-12-018, as presented by Staff. Commissioner Rogers seconded the motion. The motion passed unanimously, 6-0, with one absent.

11. **CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING):**

- A. Cedar Park Self Storage (SD-12-00027)  
4.53 acres, 1 commercial lot  
Located on Lakeline Boulevard near Old Mill Road  
Owner: King William Management LLC  
Staff Resource: Amy Link  
Staff Proposal to P&Z: Approve  
1) Public Hearing  
2) P&Z Action

**Planning Manager Amy Link advised that in considering the conditional use request, the Planning and Zoning Commission must find that the use will not:**

- a. **Unduly negatively affect an adjoining site more than would a permitted use in the base district;**  
b. **Unduly negatively affect the safety or convenience of vehicular or pedestrian circulation; and**  
c. **Unduly negatively affect an adjacent property or traffic control through the location, lighting or type of a sign.**

Staff believed the conditional use site development plan request does not negatively affect adjoining tracts, safety and convenience of vehicular or pedestrian circulation, or property or traffic control. Staff recommended approval of the conditional use permit for a self-storage facility located on Lakeline Boulevard near Old Mill Road, including a condition requiring one hundred percent (100%) masonry construction exclusive of doors and windows for the storage buildings labeled as A-1, A-2, B, C, D, E, F-1, and F-2 on the site development plan.

Steve Yndo, agent for applicant, was present to answer questions. He advised that the storage facility would be obscured by the landscaping. He advised that the one hundred percent (100%) masonry requirement would kill the project. He proposed putting masonry end-caps on the buildings closest to Lakeline Boulevard and Old Mill Road. Development Services Director Rawls Howard advised that this was a sensible compromise and staff would support it.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

**MOTION:** Commissioner Dion moved to approve the Conditional Use Site Development request for Case SD-12-00027 with the following condition: one hundred percent (100%) masonry on end-caps of buildings. Commissioner Balestiere seconded the motion. The motion passed as follows:

**Yes:** Kauffman, Rogers, Balestiere, Dion, Hogue  
**No:** Wernecke  
**Absent:** Brent

12. **ORDINANCE AMENDMENT PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS: NONE.**

13. **DISCUSSION AND POSSIBLE ACTION:**

- A. The US 183 Redevelopment Study  
**Development Services Director Rawls Howard introduced Dan Sefko, Freese and Nichols Director of Planning. City Council provided feedback during his presentation at the Joint Meeting on March 7, 2013. He advised that he needed input from the Planning and Zoning Commissioners. His presentation included the following topics: 1) Utilities, 2) Urban lofts, 3) Development**

**Standards, 4) Traffic calming, and 5) Branding and identity. He advised that a more detailed report will be provided within a month or two.**

**Chair Kauffman closed the regular session at 6:42 PM. (After Item 8A.)**

**Chair Kauffman opened the Executive Session at 6:45 PM.**

14. EXECUTIVE SESSION:

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The Planning and Zoning Commission may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

A. Section 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:

1. Legal issues concerning the terms and conditions of a proposed development agreement between the City of Cedar Park and Milestone Community Builders, LLC.

**Chair Kauffman closed the Executive Session at 7:13 PM.**

The Planning and Zoning Commission reconvenes into General Session.

**Chair Kauffman reopened the public meeting at 7:15 PM.**

15. OPEN MEETING:

Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

**No action was taken on any items.**

16. ADMINISTRATIVE ITEMS:

*(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)*

A. Report on City Council Actions Pertaining to Zoning Matters February 28<sup>th</sup> and March 14<sup>th</sup>.

**Planning Manager Amy Link advised that the following items were on the February 28<sup>th</sup> agenda: Approval of annexation located at Power Lane and RM 1431, Z-12-018 zoning and FLUP amendment, CUP/SUP ordinance, and Entertainment Center Overlay ordinance. She advised that the items on the March 14<sup>th</sup> agenda included 1<sup>st</sup> reading/Public Hearing of Z-12-019 and Z-13-001.**

B. Director and Staff Comments

1. Summary of Comprehensive Plan Advisory Committee Meeting held February 21, 2013.

**Development Services Director Rawls Howard advised that there was a committee meeting held on February 21, 2013. Mind Mixer will be online in April. Imagine Cedar Park will have a new website of its own. The committee members were asked to review the past Comprehensive Plans.**

**Planning Manager Amy Link introduced the new planner, Rian Amiton.**

C. Commissioners Comments. **None.**

D. Request for Future Agenda Items.

**Chair Kauffman requested regulation concerning self-storage. Development Services Director Rawls Howard advised that text amendments will be on the next agenda. Chair Kauffman asked that an agenda item be included to select a Vice Chair.**

E. Designate Delegate to Attend Next Council Meetings on March 28, 2013 and April 11, 2013.

**Chair Kauffman advised that he would attend the March 28<sup>th</sup> Council meeting. Commissioner Dion advised that he would attend the April 11<sup>th</sup> Council meeting.**

15. ADJOURNMENT

**Chair Kauffman adjourned the meeting at 10:05 p.m.**

**PASSED AND APPROVED THE 16<sup>TH</sup> DAY OF APRIL, 2013.**

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NICHOLAS KAUFFMAN, Chairman

ATTEST:

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HOLLY HOGUE, Secretary

Subdivision

*Planning and Zoning Commission*  
**BMC Lumber Subdivision Number 2,  
Resubdivision**

**Item:#**  
**6A1**

**Case Number:** SFP-13-003

**OWNER:** Brushy Creek-CCP, LP

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** On BMC Drive, south of Brushy Creek Road

**COUNTY:** Williamson

**AREA:** 23.85 acres

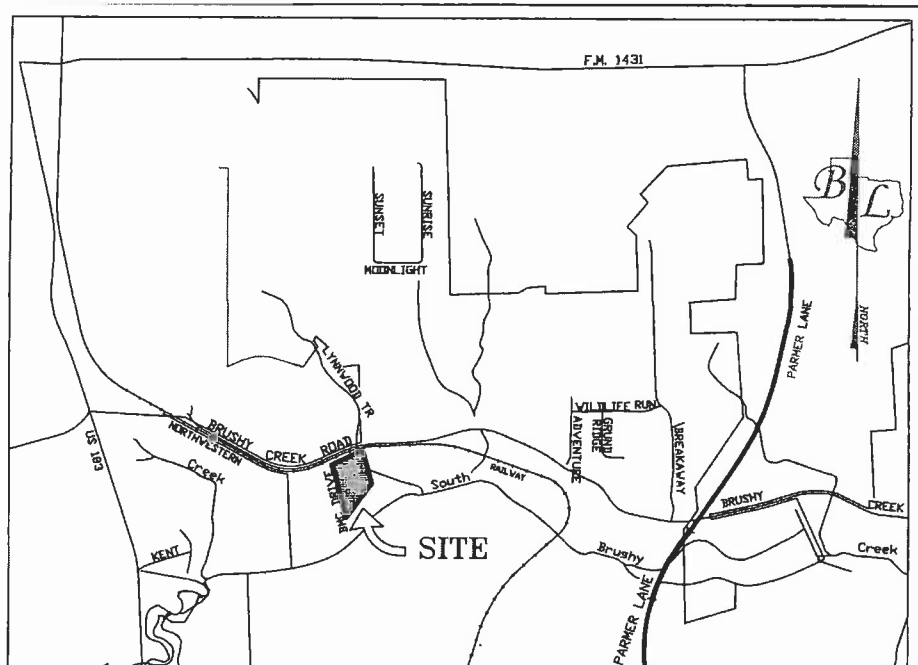
**ZONING: LI**

**SUBDIVISION DESCRIPTION:** 3 commercial lots

**STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



April 16, 2013

Subdivision

*Planning and Zoning Commission*  
**Caballo Ranch Section 5**

**Item:#  
6A2**

**Case Number: FP-13-002**

**OWNER:** Felder M/I Caballo Ranch LLC

**STAFF:** Rian Amiton, 512-401-5054, [rian.amiton@cedarparktexas.gov](mailto:rian.amiton@cedarparktexas.gov)

**LOCATION:** Paseo de Charros, east of Ronald Reagan Boulevard

**COUNTY:** Williamson

**AREA:** 48.37 acres

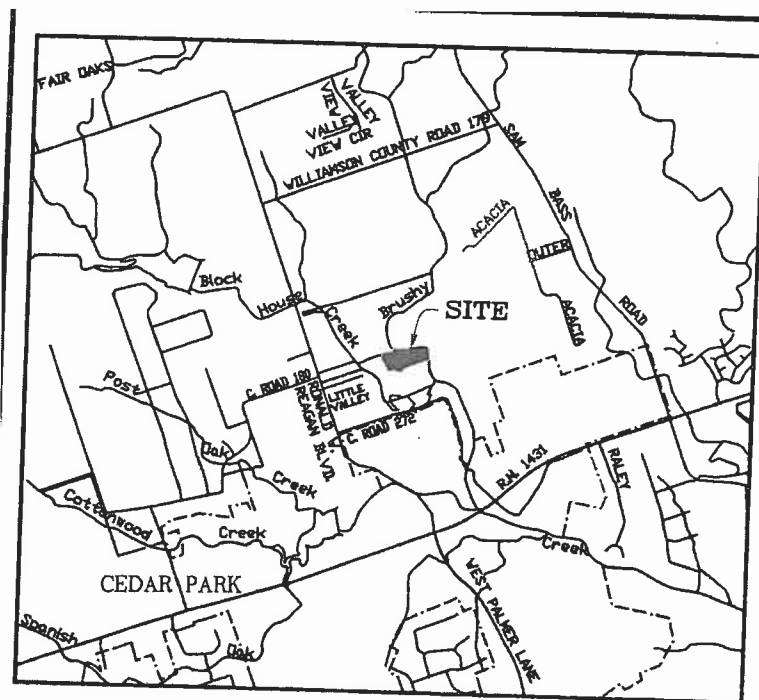
**ZONING:** SF-2

**SUBDIVISION DESCRIPTION:** 121 single family lots and 1 drainage/water quality lot

**STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



**LOCATION MAP  
(N.T.S.)**

April 16, 2013

Subdivision

**Planning and Zoning Commission**  
**Peloquin Subdivision, Amended Plat of**  
**Lots 1-A and 1-C**

**Item:#**  
**6A3**

**Case Number:** FPD-13-001

**OWNER:** David Quintanilla and Kamaldeep Gill

**STAFF:** Amy Link, 512-401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** Southeast Corner of East Whitestone Boulevard and Arrow Point Drive

**COUNTY:** Williamson

**AREA:** 3.8 acres

**ZONING:** GR

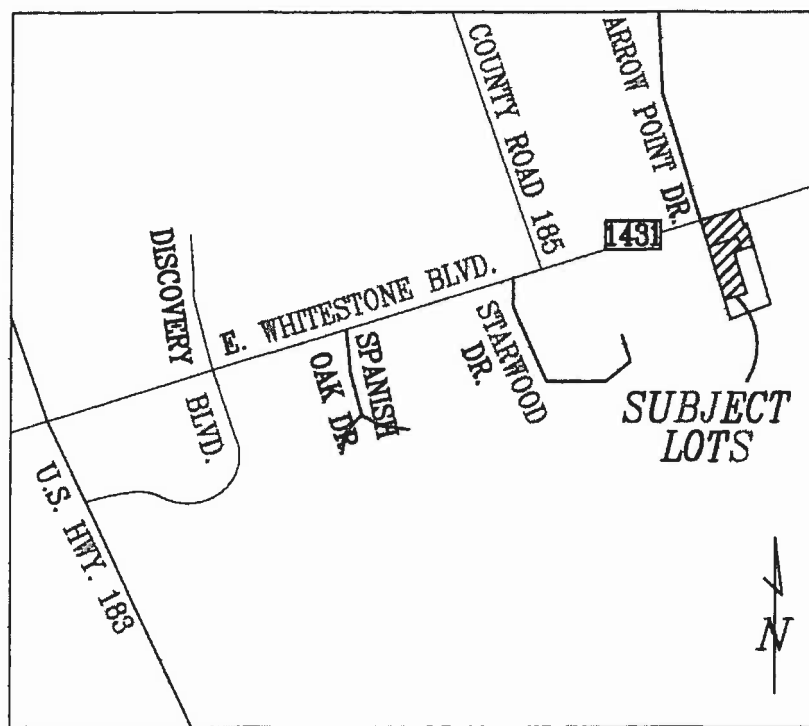
**SUBDIVISION DESCRIPTION:** 2 commercial lots

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**STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



April 16, 2013

Subdivision

***Planning and Zoning Commission***  
**Resubdivision of Prestige Addition,  
Resubdivision of Lot 1 Block A**

**Item:#  
6A4**

**Case Number:** FPD-13-002

**OWNER:** Steinberg Davidson LP and Elder Holdings LLC

**STAFF:** Amy Link, 512-401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** 920 and 924 South Bell Boulevard

**COUNTY:** Williamson

**AREA:** 4.95 acres

**ZONING:** GR

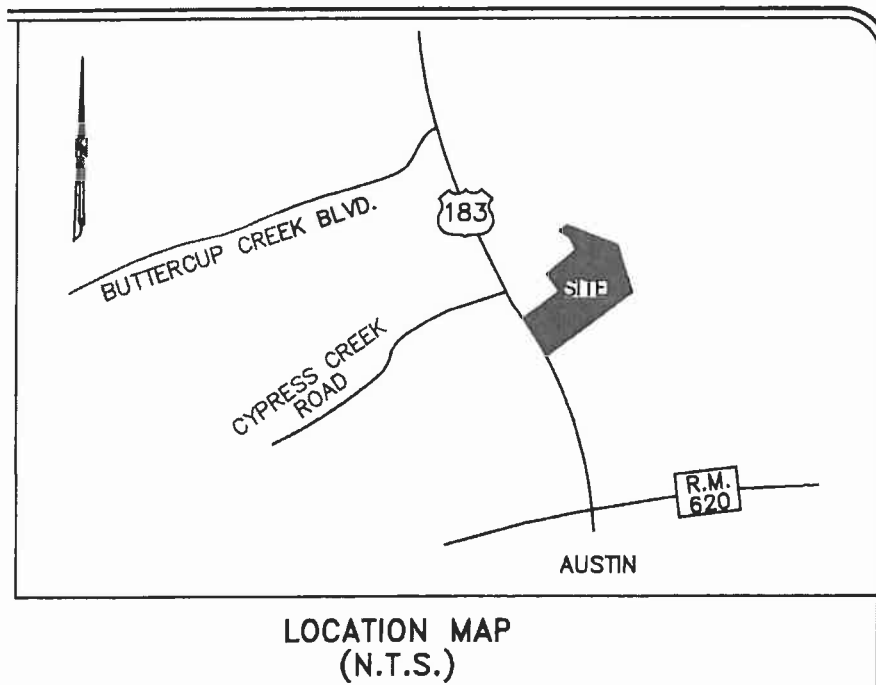
**SUBDIVISION DESCRIPTION:** 2 commercial lots

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**STAFF COMMENTS:**

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.





April 16, 2013

Subdivision

*Planning and Zoning Commission*  
**Avalon Cedar Park**

**Item:#  
6B1**

**Case Number: SFP-13-002**

**OWNER:** 183 BLW LP and Evelyn LP & ET AL

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** At the intersection of Lakeline Boulevard and Old Mill Road

**COUNTY:** Williamson

**AREA:** 4.83 acres

**ZONING:** LR & GO

**SUBDIVISION DESCRIPTION:** 3 commercial lots

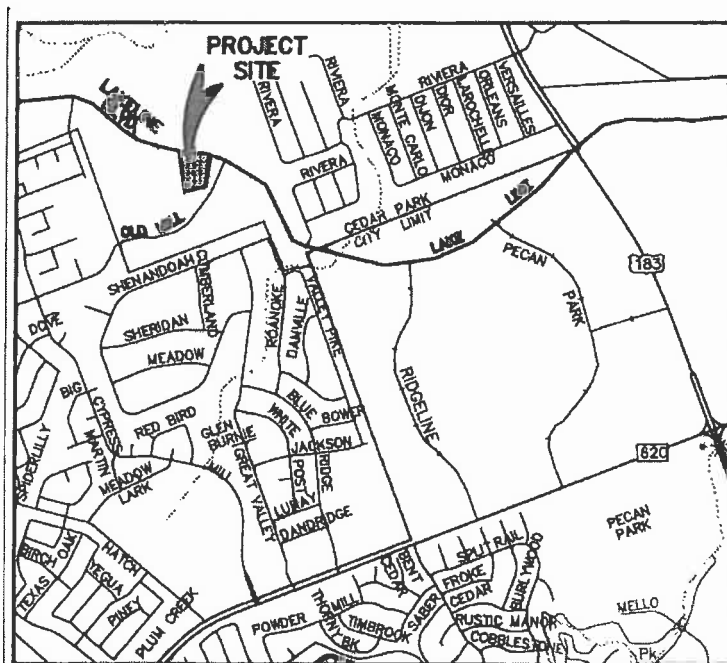
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**STAFF COMMENTS:**

This plat meets all state and local requirements.

**STAFF RECOMMENDATION:**

Approve plat



**LOCATION MAP**  
NOT TO SCALE

April 16, 2012

*Planning and Zoning Commission*

Item:#

Subdivision

**CWT & C LTD Subdivision**

**6B2**

**Case Number: SFP-12-011**

**OWNER:** CWT & C LTD

**AGENT:** Don Pool, Baker-Aicklen and Associates

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** North side of FM 620, east of Blue Ridge Drive

**COUNTY:** Williamson

**AREA:** 1.3 acres

**ZONING:** GR

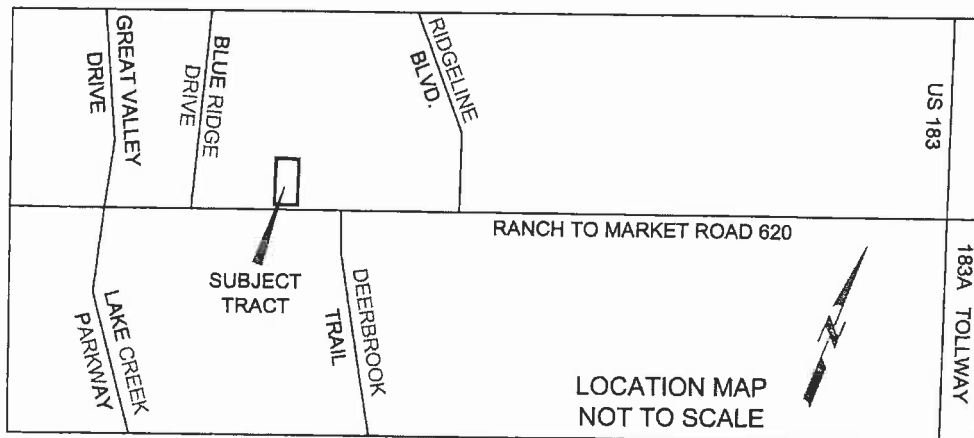
**SUBDIVISION DESCRIPTION:** 1 commercial lot

**STAFF COMMENTS:**

This plat meets all state and local requirements.

**STAFF RECOMMENDATION:**

Approve plat



April 16, 2013

Subdivision

*Planning and Zoning Commission*

**Parkwest Estates Lot 41 Block B**

**Item:#**

**6B3**

**Case Number:** SFP-12-019

**OWNER:** Bob Gilfillan

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** Cedar Park Drive, west of Bell Boulevard

**COUNTY:** Williamson

**AREA:** 0.665 acres

**ZONING:** SF

**SUBDIVISION DESCRIPTION:** 1 residential lot

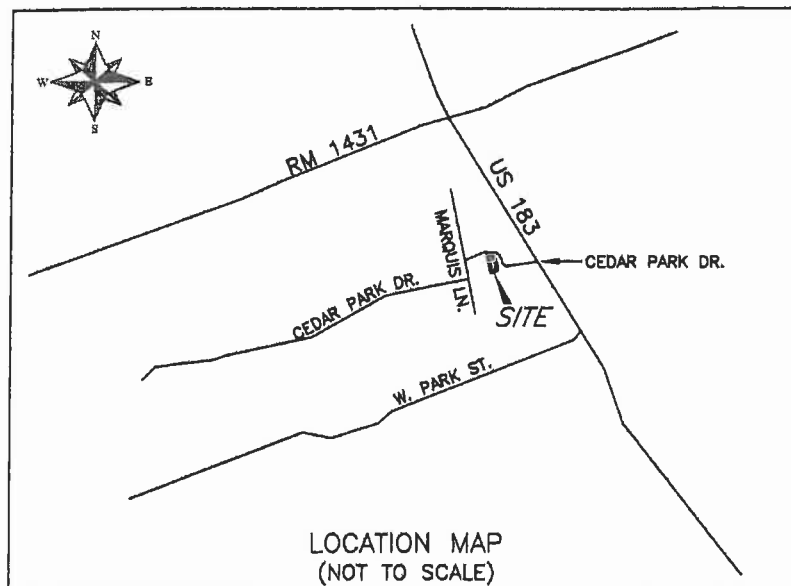
---

**STAFF COMMENTS:**

This plat meets all state and local requirements.

**STAFF RECOMMENDATION:**

Approve plat



April 16, 2013

Zoning

# Planning and Zoning Commission

Creekside 32.38 Acres

Item:

7A

Case Number: # Z-13-003

**OWNERS:** Peggy Kirkland, Willie J. Kopecky Jr. and Koube Family Trust

**AGENT:** Steve Ihnen, Garrett-Ihnen Civil Engineering

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** South of C-Bar Ranch Trail, east of 183A Toll Road

**COUNTY:** Williamson

**AREA:** 29.61 acres

The applicant has requested a postponement to May 21, 2013 to allow time to meet with the surrounding neighborhood.

Staff supports the postponement request.

The applicant previously requested and was granted a postponement at the March 19, 2013 Planning and Zoning Commission meeting until April 16, 2013.



April 16, 2013

*Planning and Zoning Commission*

**Item:**

Ordinance  
Amendment

**Ordinance Amendment - Zoning Chapter 11  
Grade Definitions and Associated Height  
Requirements**

**7B**

**OA-12-007**

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktexas.gov](mailto:rawls.howard@cedarparktexas.gov)

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Staff is requesting a postponement of this ordinance amendment to allow more time to work with internal staff and Commission members regarding the proposed grade definitions.

A postponement to May 21, 2013 is requested.

April 16, 2013

Zoning

*Planning and Zoning Commission*

**Caspita Industries Inc.**

**Item:  
8A & 9A**

**Case Number: # Z-12-020**

**OWNER:** Caspita Industries, Inc.

**AGENT:** Kristiana Alfsen, Pohl Partners

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** Old Mill Road, west of Lakeline Boulevard

**COUNTY:** Williamson

**AREA:** 10.51 acres

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**EXISTING ZONING:** General Office (GO)

**PROPOSED ZONING:** Townhome Residential (TH)

**STAFF RECOMMENDATION:** General Office (GO)

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**EXISTING FUTURE LAND USE DESIGNATION:** Neighborhood Office/Retail/Commercial

**PROPOSED FUTURE LAND USE DESIGNATION:** Medium Density Residential

**RECOMMENDED FUTURE LAND USE DESIGNATION:** Neighborhood Office/ Retail/  
Commercial

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**SUMMARY OF REQUEST:**

The applicant is requesting to rezone approximately 10.51 acres from General Office (GO) to Townhome Residential (TH).

**EXISTING SITE and SURROUNDING USES:**

The site is currently undeveloped and surrounded by Old Mill Road to the north, undeveloped GO zoned property to the east, single family residential property in the ETJ to the south and an existing indoor sports facility (zoned LR-CO) to the west.





April 16, 2013

Zoning

## *Planning and Zoning Commission*

**Caspita Industries Inc.**

**Item:  
8A & 9A**

**Case Number: # Z-12-020**

### **PURPOSE OF REQUESTED ZONING DISTRICT:**

The Town Home Residential District, TH, is established to provide for small residential lots for medium density single-family residential developments at a more compact urban scale. This district allows for a variation from traditional housing placement, permitting the construction of town homes and/or zero-lot line or garden homes. Nonresidential uses permitted in this district are considered to be compatible with single-family residences that act to preserve the value, and integrity of the residential neighborhood.

### **PERMITTED USES IN TH:**

Garden homes (zero-lot line homes)  
Town homes, residential use  
Parks, playgrounds (owned and/or operated by the City or other governmental agency)  
Places of worship  
Public buildings, uses  
Real estate sales office  
Utility services, general  
Accessory structures  
Customary home occupations

### **FUTURE LAND USE PLAN:**

The Future Land Use Plan (FLUP) identifies the subject area as suitable for Neighborhood Office/Retail/Commercial uses, with compatible zoning districts such as Transitional Office (TO), Transitional Commercial (TC), General Office (GO), Local Retail (LR) and Mixed Use (MU).

The applicant's request for TH zoning does not comply with the FLUP. The TH request is compatible with a Medium Density Residential designation, which would allow zoning districts such as Duplex Residential (DP), Townhome Residential (TH) and Condominium Residential (CD).

A FLUP amendment is being processed concurrently with this zoning application. See agenda item 10A.

### **COMPREHENSIVE PLAN:**

The applicant's request supports the housing goals of the Comprehensive Plan; however, the request does not support the economic development goals consistent with the Neighborhood Office/Retail/Commercial designation contemplated by the FLUP. Specifically, it does not support the following goals:

#### **4.1.6 Economic Development Goals:**

- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.



April 16, 2013

Zoning

*Planning and Zoning Commission*

**Caspita Industries Inc.**

**Item:**

**8A & 9A**

**Case Number: # Z-12-020**

- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services.

**SITE INFORMATION:**

***Corridor Overlay:***

This tract is not located within the Corridor Overlay.

***Transportation:***

Old Mill Road is classified as a residential collector.

***Water and Wastewater Utilities:***

Water and wastewater facilities are available in the vicinity of the site.

***Subdivision:***

The property is not currently platted.

***Setback and Height Requirements:***

Setbacks vary depending on the type of townhome development. Setbacks for zero-lot line and traditional townhomes are provided below:

	<b>Zero Lot Line</b>	<b>Standard Townhome</b>
Front setback	20'	25'
Side setback	10' from one side lot line	15'
Side setback on alley	10'	10'
Side setback for corner lot	20'	20'
Rear setback	20'	20'
Maximum Height	35'	35' (one story within 50' of single family residence)

***Architectural Requirements:***

All building exteriors within the TH district require 75% masonry construction, exclusive of doors and windows.

April 16, 2013

Zoning

## *Planning and Zoning Commission*

**Caspita Industries Inc.**

**Item:  
8A & 9A**

**Case Number: # Z-12-020**

### ***Case History:***

<b>Case #</b>	<b>Request</b>	<b>P&amp;Z Recommendation</b>	<b>CC Action</b>
Z-95-007	From DR to PUD	Recommended	Approved
Z-03-013	From PUD to GO	Recommended	Approved

### **STAFF COMMENTARY:**

The applicant's request for TH zoning is not consistent with the FLUP and is not supportive of the economic development goals of the Comprehensive Plan. In addition, the TH zoning designation would provide a poor land use transition, as the tract is bounded by commercial zoned property to the east and west. In addition, staff believes maintaining the GO designation allows for the best use of the property as it is immediately adjacent to and can take advantage of higher intensity commercial (both existing and planned) development on the corner of Lakeline Blvd.

Staff also believes a TH zoning designation is better suited at the edge of a residential neighborhood, where the land use density increases from single family, to medium density residential uses, then to commercial/office uses.

### **STAFF RECOMMENDATION:**

Staff recommends retention of the GO zoning designation for this tract.

**APPLICANT'S NEIGHBORHOOD COMMUNICATION SUMMARY:** Not received

**PUBLIC INPUT:** To date, no public input has been received regarding this request.

**PUBLIC NOTIFICATION:** Cedar Park-Leander Statesman January 2, 2013  
26 letter notices were sent to property owners within the 300' buffer

The Planning and Zoning Commission postponed the case at the applicant's request at both the January 15<sup>th</sup> and February 19<sup>th</sup> regular meetings.

**PROPOSED CITY COUNCIL HEARINGS:** (May 9, 2013) 1<sup>ST</sup> Reading  
(May 23, 2013) 2<sup>ND</sup> Reading

April 16, 2013

Zoning

*Planning and Zoning Commission*

**3620 E. Whitestone**

**Item:  
8B & 9B**

**Case Number: # Z-13-004**

**OWNER:** Cedar Park Automotive, LTD

**AGENT:** Holt Planners

**STAFF:** Rian Amiton, 401-5054, [rian.amiton@cedarparktexas.gov](mailto:rian.amiton@cedarparktexas.gov)

**LOCATION:** 3620 E. Whitestone Boulevard

**COUNTY:** Williamson

**AREA:** 5.64 acres

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**EXISTING ZONING:** General Retail (GR)

**PROPOSED ZONING:** General Office (GO)

**STAFF RECOMMENDATION:** General Office (GO)

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**EXISTING FUTURE LAND USE DESIGNATION:** Employment Center

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**SUMMARY OF REQUEST:**

The applicant is requesting to rezone approximately 5.64 acres from General Retail (GR) to General Office (GO).

**EXISTING SITE and SURROUNDING USES:**

The site was formerly an auto dealership. It is surrounded by East Whitestone Boulevard to the north, undeveloped property to the east and south, and a commercial office (Baker Drywall) to the west.

April 16, 2013

Zoning

# Planning and Zoning Commission

3620 E. Whitestone

Item:  
8B & 9B

Case Number: # Z-13-004



April 16, 2013

Zoning

## *Planning and Zoning Commission*

**3620 E. Whitestone**

**Item:**

**8B & 9B**

**Case Number: # Z-13-004**

### **PURPOSE OF REQUESTED ZONING DISTRICT:**

The General Office District, GO, is established to provide for office buildings and businesses that support large office complexes. This district permits uses that serve the community as a whole and provides regional employment opportunities. This district should be located between activity nodes along arterial roadways; it can also provide for transitional land uses between neighborhoods and more intensive commercial and regional activities.

### **PERMITTED USES IN GO:**

- Administrative office
- Art gallery
- Day care center, incidental
- Medical offices
- Places of worship
- Professional offices
- Public buildings, uses
- Software development
- Temporary buildings
- Utility services, general
- Accessory structures
- Private schools
- Wireless telecommunications facilities
- Ambulatory Surgery Center
- Automated teller machines
- Banks (with drive-through facilities as a secondary use only)
- Communication services
- Convalescent Nursing Home
- Day Care Center, Adult
- Day Care Center, Child
- Day nurseries, day care facilities
- Drug Store
- Dry cleaning and/or laundry, on-site plant
- Extended care facilities, nursing home
- Medical or dental clinics
- Medical, surgical, and dental supply houses
- Parking lots, driveways, on-site or off-site
- Personal services, general
- Personal improvement services, limited
- Retail gift store
- Restaurant, limited
- Vocational or trade school
- College and University
- Secondary uses permitted with convalescent nursing homes or extended care facilities

### **FUTURE LAND USE PLAN:**

The Future Land Use Plan (FLUP) identifies the subject area as suitable for Employment Center uses, with compatible zoning districts such as Business (BD), Light Industrial (LI), General Office (GO), Hospital (H), and Mixed Use (MU).

The applicant's request for GO zoning complies with the FLUP. No change in the FLUP would be necessary.

### **COMPREHENSIVE PLAN:**

The applicant's request supports the following goals of the Comprehensive Plan:

#### **4.1.6 Economic Development Goals:**

April 16, 2013	<i>Planning and Zoning Commission</i>	<b>Item:</b>
Zoning	<b>3620 E. Whitestone</b>	<b>8B &amp; 9B</b>
<b>Case Number: # Z-13-004</b>		

- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services.
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment.

#### 4.2.8 City Council Retreat

- More Professional Employment Opportunities—major employers locating in Cedar Park, more office buildings, especially medical/nursing

### **SITE INFORMATION:**

#### ***Corridor Overlay:***

This tract is located entirely within the Corridor Overlay.

#### ***Transportation:***

Whitestone Boulevard (FM 1431) is classified as a major arterial. In 2010, the traffic count on Whitestone Boulevard, east of Parmer was 40,275 vehicles per day.

#### ***Water and Wastewater Utilities:***

Existing water and wastewater lines are adequate to service the site.

#### ***Subdivision:***

The property is currently platted.

#### ***Setback Requirements:***

	GO
Front Setback	25'
Side Setback	12'
Side Setback at Street	15'
Rear Setback	5'

#### ***Architectural Requirements:***

All building exteriors within the GO district require 100% masonry construction, exclusive of doors and windows.

April 16, 2013

Zoning

*Planning and Zoning Commission*

**3620 E. Whitestone**

**Item:  
8B & 9B**

**Case Number: # Z-13-004**

***Case History:***

<b>Case Number</b>	<b>Request</b>	<b>P&amp;Z Recommendation</b>	<b>Council Action</b>
Z-97-010	SF to LI	Recommended	Approved
Z-05-017	LI to GR	Recommended	Approved

**STAFF COMMENTARY:**

The applicant's request for GO zoning is consistent with both the FLUM and the goals of the Comprehensive Plan. The request meets the intent of the GO purpose statement and is compatible with the surrounding zoning designations and land uses. Staff is supportive of the request.

**STAFF RECOMMENDATION:**

Staff recommends approval of the applicant's request for GO zoning.

**APPLICANT'S NEIGHBORHOOD COMMUNICATION SUMMARY:** Not required

**PUBLIC INPUT:** To date, no public input has been received regarding this request.

**PUBLIC NOTIFICATION:** Cedar Park-Leander Statesman April 3, 2013  
7 letter notices were sent to property owners within the 300' buffer

**PROPOSED CITY COUNCIL HEARINGS:** (May 9, 2013) 1<sup>ST</sup> Reading  
(May 23, 2013) 2<sup>ND</sup> Reading

April 16, 2013

Zoning

# *Planning and Zoning Commission*

## **Spanish Creek**

**Item:  
8C & 9C**

**Case Number: Z-13-005**

**OWNER/APPLICANT:** Bula Lewis Farms c/o Barrett Farms

**AGENT:** Paul Linehan, Land Strategies

**STAFF:** Rian Amiton, 401-5054, [rian.amiton@cedarparktxas.gov](mailto:rian.amiton@cedarparktxas.gov)

**LOCATION:** On the west side of Ronald Reagan Boulevard just north of E. Whitestone Boulevard

**COUNTY:** Williamson County

**AREA:** 42.20 acres

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**EXISTING ZONING:** Townhome Residential (TH) and Development Reserve (DR)

**PROPOSED ZONING:** Condominium Residential (CD)

**STAFF RECOMMENDATION:** Condominium Residential (CD)

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**EXISTING FUTURE LAND USE PLAN DESIGNATION:** Medium Density Residential, Regional Office/Retail/Commercial, and Parks & Open Space

**PROPOSED FUTURE LAND USE PLAN DESIGNATION:** Medium Density Residential

**FUTURE LAND USE PLAN RECOMMENDED:** Medium Density Residential

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### **SUMMARY OF APPLICANT'S REQUEST:**

The applicant's request is to rezone a total of approximately 42.20 acres as follows:

- Tract 1: rezone approximately 28.31 acres from Townhome Residential (TH) to Condominium Residential (CD)
- Tract 2: rezone approximately 12.86 acres from Townhome Residential (TH) to Condominium Residential (CD)
- Tract 3: Assign original zoning of Condominium Residential (CD) to approximately 1.03 acres.

### **EXISTING SITE and SURROUNDING LAND USES:**

This site is currently developed with a home and stables. The remainder of the site is undeveloped. To the west is the SCS Dam #4, to the north is Rural Agriculture (RA) to the east is Ronald Reagan Boulevard and to the south is undeveloped property zoned General Retail (GR).

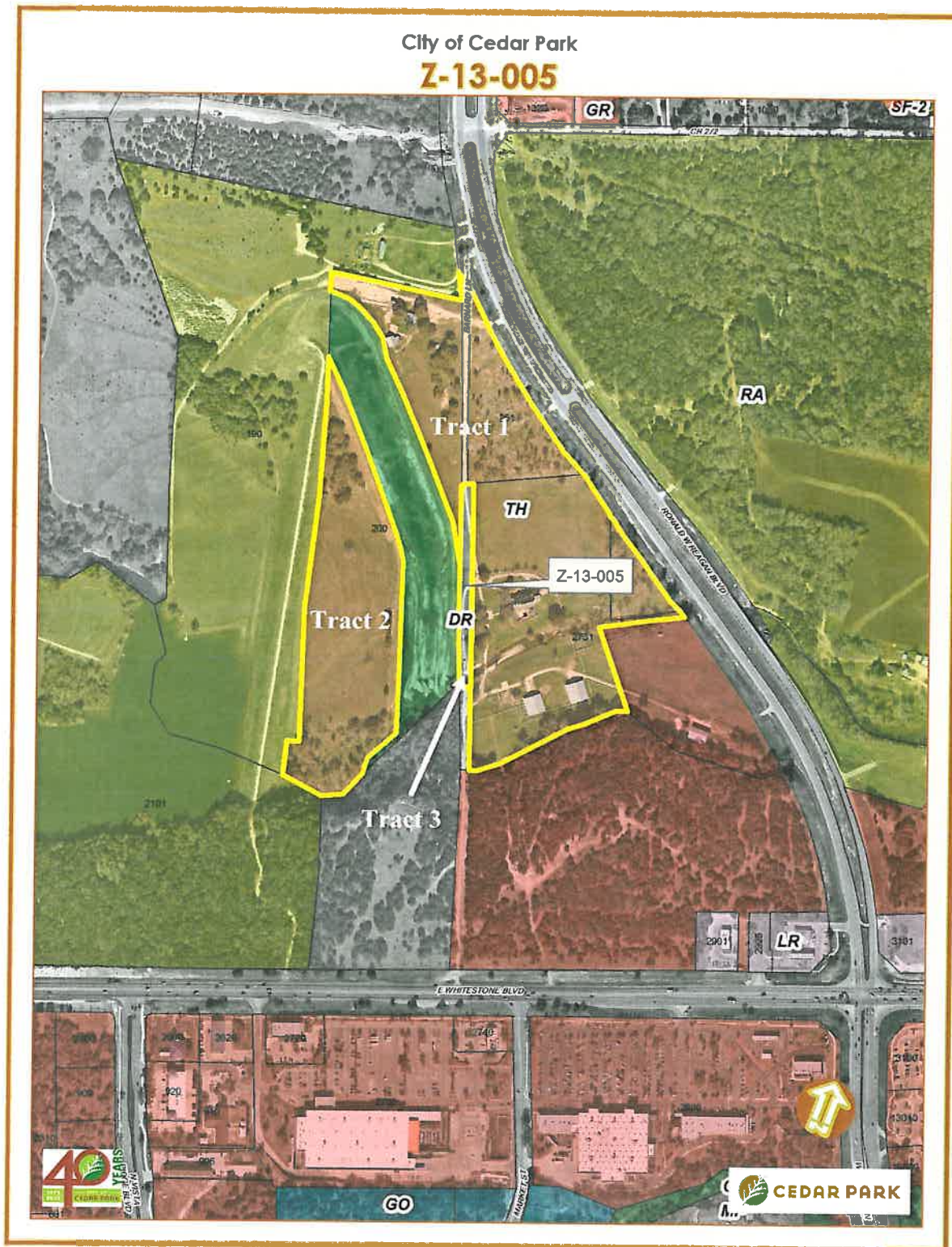


## Zoning

***Planning and Zoning Commission***  
**Spanish Creek**

**Item:**  
**8C & 9C**

**Case Number: Z-13-005**



April 16, 2013

Zoning

## *Planning and Zoning Commission*

### **Spanish Creek**

**Item:  
8C & 9C**

**Case Number: Z-13-005**

#### **PURPOSE OF REQUESTED ZONING DISTRICT:**

The Condominium District, CD, is a medium intensity single-family residential district intended to provide the highest single-family residential density and a diversity of housing options. This district is generally inappropriate for infill zoning between single-family lots within a neighborhood development. This district may be appropriate for transitional residential development at an edge of a low density single-family neighborhood, where higher densities and trips generated do not impact lower density areas. Open space and recreation, religious, and educational facilities are provided to maintain an orderly, convenient, and attractive residential neighborhood. The nonresidential uses permitted in this district are considered compatible with the housing options of this district so as to preserve its value, sustainability, and integrity.

#### **PERMITTED USES IN CD:**

- Condominiums, residential
- Parks, playgrounds, recreational facilities owned by the municipality, other governmental agency, or in common under a mandatory homeowner's association
- Places of worship
- Public buildings, uses
- Real estate sales offices (during the development of a residential subdivision, to be terminated upon ninety (90) percent build out of the subdivision.)
- Temporary building
- Utility services, general
- Accessory structures
- Customary home occupations

#### **FUTURE LAND USE PLAN:**

The Future Land Use Plan (FLUP) identifies a majority of the subject area (Tracts 1 and 2, totaling approximately 41.17 acres) as suitable for Medium Density Residential, with compatible zoning districts of Condominium Residential (CD) and Duplex Residential (DP). The FLUP identifies the remainder of the subject area (Tract 3, comprising approximately 1.03 acres) as suitable for Regional Office/Retail/Commercial, with compatible zoning districts of General Retail (GR), General Office (GO), and Mixed Use (MU); and Parks & Open Space, with compatible zoning districts of Open Space Recreational (OSR) and Open Space Greenbelt (OSG).

The applicant's request is largely in compliance with the FLUP with the exceptions of the 1.03 acres currently zoned DR.

A FLUP amendment is being processed concurrently with this zoning application. See agenda item 10B.



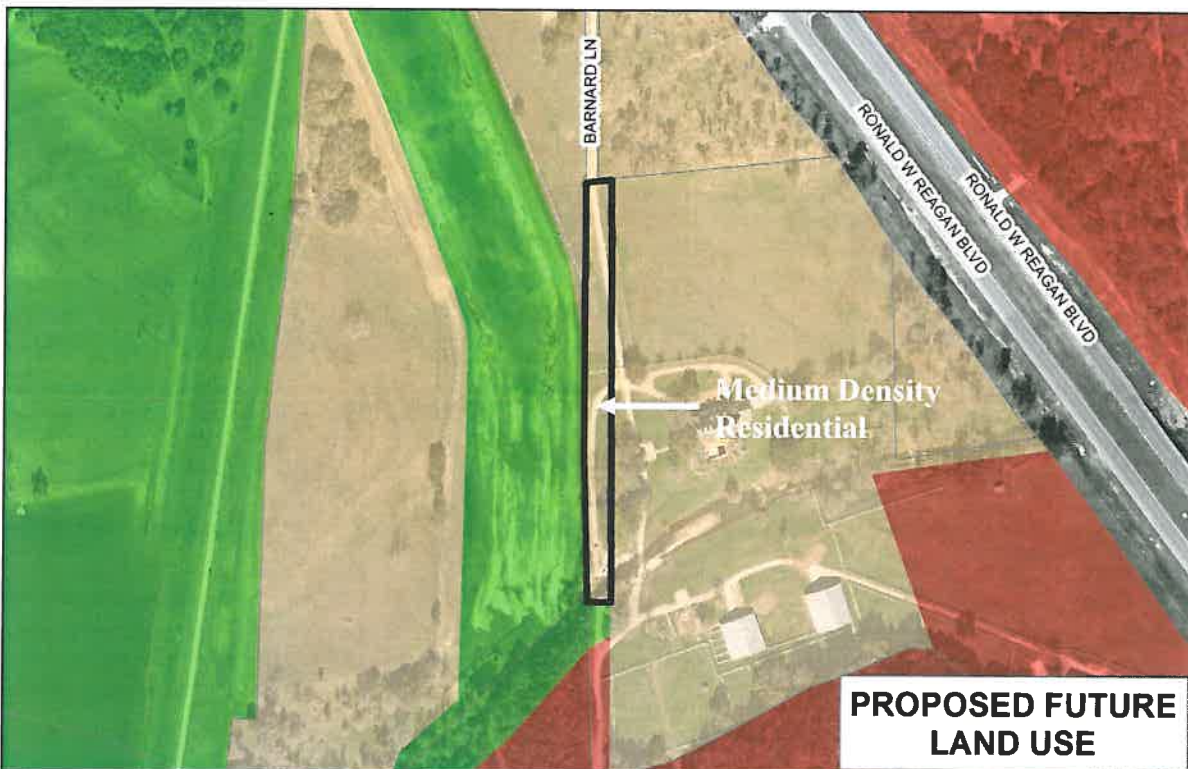
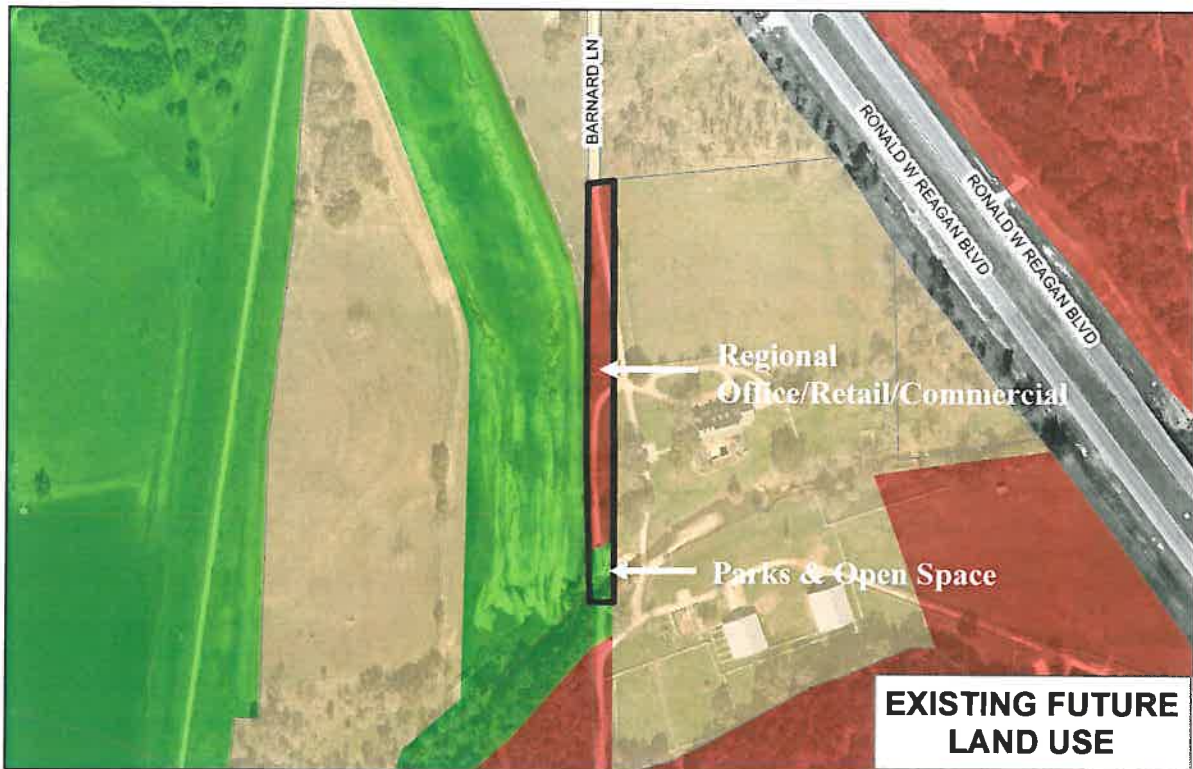
April 16, 2013

Zoning

*Planning and Zoning Commission*  
**Spanish Creek**

**Item:**  
**8C & 9C**

**Case Number: Z-13-005**



April 16, 2013

Zoning

## *Planning and Zoning Commission*

### **Spanish Creek**

**Item:  
8C & 9C**

**Case Number: Z-13-005**

#### **COMPREHENSIVE PLAN:**

The request for CD is in compliance with these goals of the Comprehensive Plan:

- 4.1.3 Housing Goals – 1) Formulate a viable mix of housing types that will successfully diversify the housing market of Cedar Park, allowing it to grow into a sustainable community over the next 20-30 years 2) Provide new housing opportunities for current and future residents of Cedar Park.

#### **SITE INFORMATION:**

##### ***Corridor Overlay:***

Ronald Reagan Boulevard is a corridor roadway. Approximately half of Tract 1 is within the Corridor Overlay.

##### ***Transportation:***

Currently the site connects to both East Whitestone Boulevard and Ronald Reagan Boulevard. East Whitestone Boulevard is classified as a major arterial roadway. In 2010, the traffic count on Whitestone Boulevard, west of Parmer was 36,550 vehicles per day.

Ronald Reagan Boulevard is classified as a major arterial roadway. In 2010, the traffic count on Ronald Reagan, north of 1431 was 13,086 vehicles per day.

##### ***Subdivision:***

A subdivision of this property will be required.

##### ***Setback Requirements:***

	CD
Front Setback	25'
Side Setback	10'
Side Setback Adjacent to Public Street	15'
Rear Setback	20'

##### ***Architectural Requirements:***

All building exteriors within the CD districts require 75% masonry construction, exclusive of doors and windows.

April 16, 2013

Zoning

## *Planning and Zoning Commission*

### **Spanish Creek**

**Item:  
8C & 9C**

**Case Number: Z-13-005**

#### ***Case History:***

<b>Case Number</b>	<b>Request</b>	<b>P&amp;Z Recommendation</b>	<b>Council Action</b>
Z-12-008	DR and RA to GR, TH, and OSR	Recommended	Approved

#### **STAFF COMMENTARY:**

The subject area to be rezoned to Condominium Residential (CD) is comprised of three tracts.

The applicant is proposing to change from one medium density product to another one of equal impact. Staff views the request has having no net effect on the tract as it stands today and it is compliant with the FLUM and Comprehensive Plan.

##### Tracts 1 and 2: Request to change from Townhome (TH) to Condominium (CD)

The applicant's request for CD zoning on Tracts 1 and 2 is consistent with both the FLUM and the goals of the Comprehensive Plan. Condominium Residential allows a comparable density to Townhome Residential. The request meets the intent of the CD purpose statement and is compatible with the surrounding zoning designations and land uses.

##### Tract 3: Request to change from Development Reserve (DR) to Condominium (CD)

The applicant's request for CD is not consistent with the Future Land Use Plan. However, considering the location and the unique position of the tract, the request is appropriate for this site. The tract is a very narrow (approximately 55 feet wide) and landlocked strip of land that is primarily surrounded by land designated in the FLUP for Medium Density Residential. Because of these conditions there are very limited opportunities for the tract to be utilized for commercial uses.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the applicant's request for CD zoning on all three tracts.

**APPLICANT'S NEIGHBORHOOD COMMUNICATION SUMMARY:** Not required.

**PUBLIC INPUT:** To date, no public input has been received regarding this request.

**PUBLIC NOTIFICATION:** Cedar Park-Leander Statesman April 3, 2013  
7 letter notices were sent to property owners within the 300' buffer

**PROPOSED CITY COUNCIL HEARINGS:** (May 9, 2013) 1<sup>ST</sup> Reading  
(May 23, 2013) 2<sup>ND</sup> Reading

April 16, 2013  
Future Land  
Use Plan  
Amendment

## Planning and Zoning Commission

### Caspita Industries, LTD

Item:  
10A

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

In conjunction with the rezoning request by Caspita Industries, LTD (Z-12-020), the applicant has requested the following amendment to the Future Land Use Plan (FLUP):

- Amend the Future Land Use map for 10.51 acres located on Old Mill Road, west of Lakeline Boulevard from Neighborhood Office/Retail/Commercial to Medium Density Residential to Medium Density Residential

The Medium Density Residential designation is compatible with the following zoning districts: Duplex Residential (DP), Condominium Residential (CD), and Townhome Residential (TH).

Staff does not recommend approval of this request, as it would create an isolated medium density residential area, inhibiting future commercial growth. Additionally, the request does not support the economic development goals of the Comprehensive plan, as the proposed use would not provide increased sales tax revenue or allow commercial/retail development.

Below is a summary of how the proposed amendment will affect the land use percentages currently established on the FLUP.

Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
Employment Center	1392.47 ac	7.19%	1392.47 ac	7.19%	0%
High Density Residential	390.36 ac	2.02%	390.36 ac	2.02%	0%
Industrial	328.38 ac	1.7%	328.38 ac	1.7%	0%
Institutional/Public/Utility	982.73 ac	5.07%	982.73 ac	5.07%	0%
Low Density Residential	9424.61 ac	48.65%	9424.61 ac	48.65%	0%
Medium Density Residential	294.85 ac	1.52%	305.36 ac	1.57%	+0.05%
Neighborhood Office/Retail/Commercial	2142.72 ac	11.06%	2132.21ac	11.01%	-0.05%
Parks and Open Space	2305.68 ac	11.90%	2305.68 ac	11.90%	0%
Regional Office/Retail/Commercial	2110.22 ac	10.89%	2110.22 ac	10.89%	0%

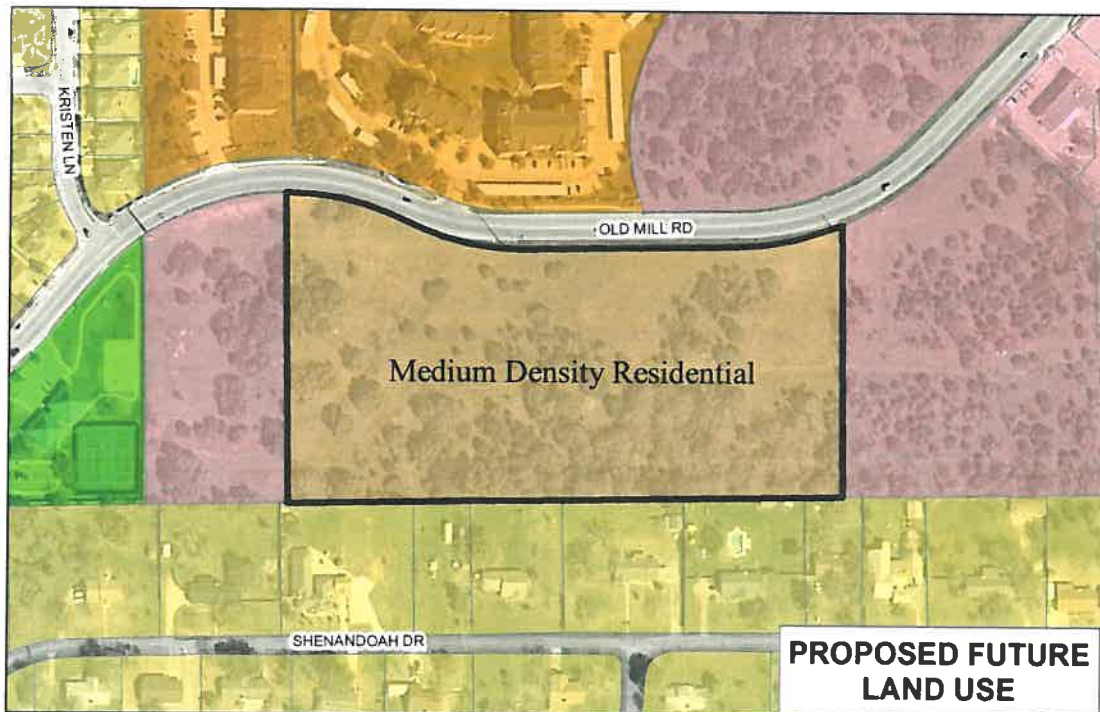


April 16, 2013  
Future Land  
Use Plan  
Amendment

*Planning and Zoning Commission*

**Caspita Industries, LTD**

**Item:  
10A**



April 16, 2013  
Future Land  
Use Plan  
Amendment

*Planning and Zoning Commission*  
**Spanish Creek**

**Item:  
10B**

**STAFF:** Rian Amiton, 401-5054, [rian.amiton@cedarparktexas.gov](mailto:rian.amiton@cedarparktexas.gov)

In conjunction with the rezoning request by Bula Lewis Farms c/o Barrett Farms (Z-13-005), the applicant has requested the following amendments to the Future Land Use Plan (FLUP):

For property located on the west side of Ronald Reagan Boulevard just north of E. Whitestone Boulevard:

- Amend the Future Land Use map for 0.91 acres from Regional Office/Retail/Commercial to Medium Density Residential
- Amend the Future Land Use map for 0.13 acres from Parks & Open Space to Medium Density Residential

The Medium Density Residential designation is compatible with the following zoning districts: Duplex Residential (DP), Condominium Residential (CD), and Townhome Residential (TH).

Staff recommends approval of this request. The tract is a very narrow (approximately 55 feet wide) and landlocked strip of land that is primarily surrounded by land designated in the FLUP for Medium Density Residential. Because of these conditions there are very limited opportunities for the tract to be utilized for commercial uses.

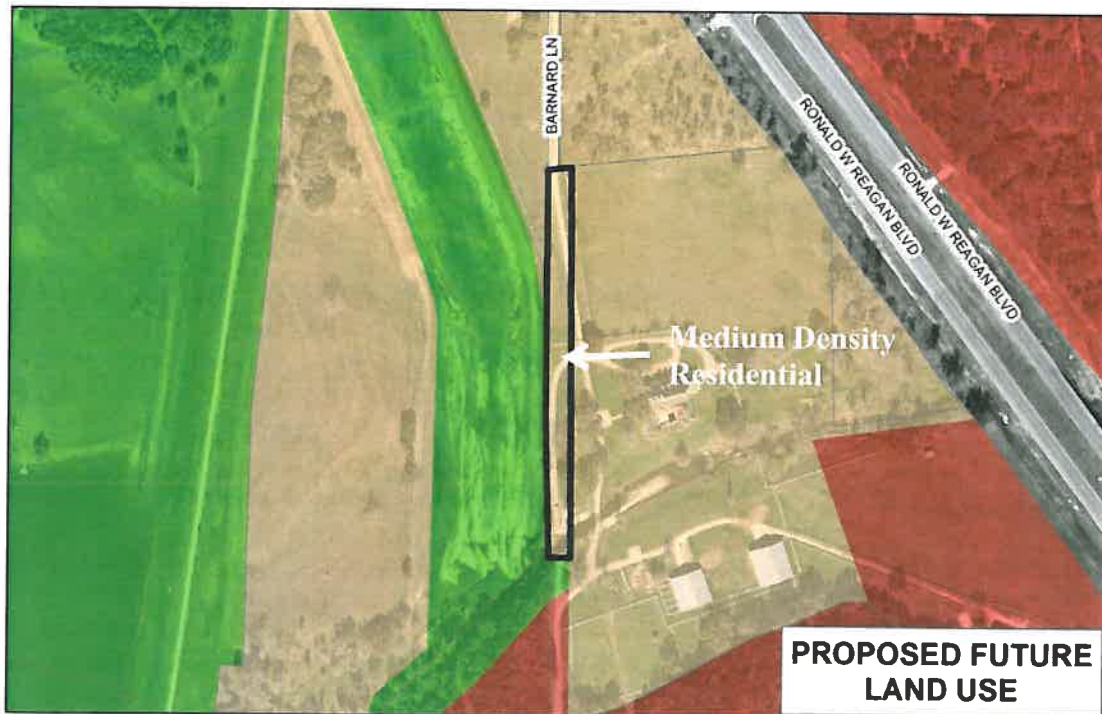
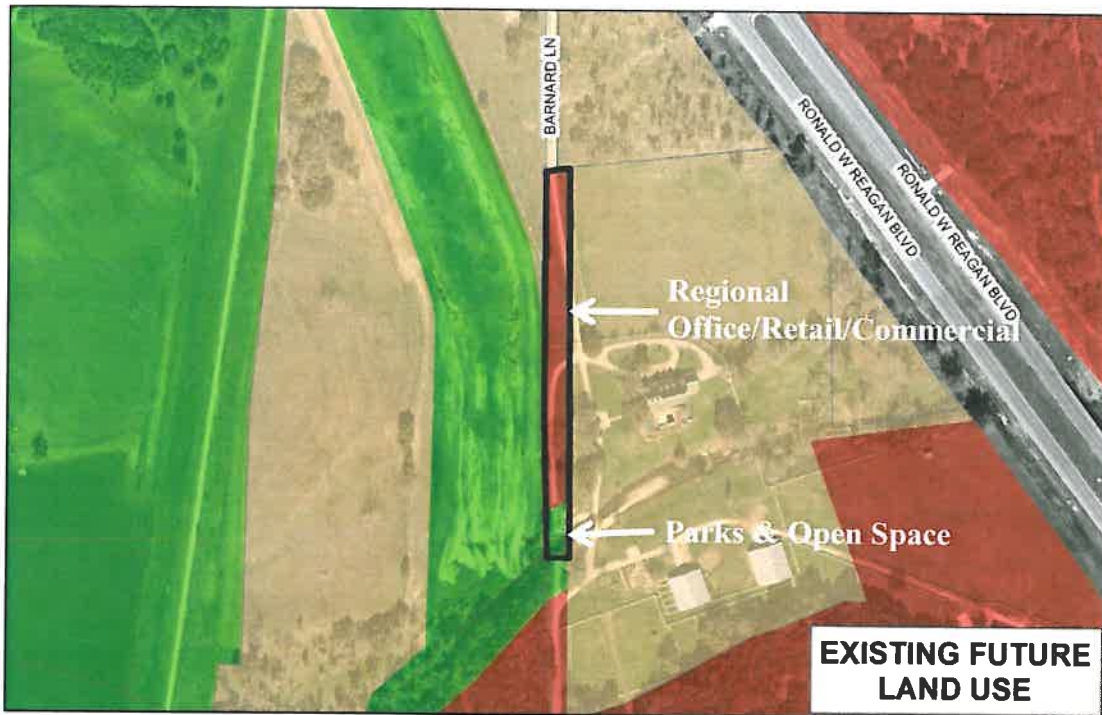
Below is a summary of how the proposed amendment will affect the land use percentages currently established on the FLUP.

Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
Employment Center	1392.47 ac	7.19%	1392.47 ac	7.19%	0%
High Density Residential	390.36 ac	2.02%	390.36 ac	2.02%	0%
Industrial	328.38 ac	1.70%	328.38 ac	1.70%	0%
Institutional/Public/Utility	982.73 ac	5.07%	982.73 ac	5.07%	0%
Low Density Residential	9424.61 ac	48.65%	9424.61 ac	48.65%	0%
Medium Density Residential	294.85 ac	1.52%	295.89 ac	1.53%	+0.01%
Neighborhood Office/Retail/Commercial	2142.72 ac	11.06%	2142.72 ac	11.06%	0%
Parks and Open Space	2305.68 ac	11.90%	2305.55 ac	11.90%	0%
Regional Office/Retail/Commercial	2110.22 ac	10.89%	2109.31 ac	10.89%	0%



*Planning and Zoning Commission*  
**Spanish Creek**

**Item:  
10B**



April 16, 2013

*Planning and Zoning Commission*

Item:#  
11A

Subdivision

**F&G Subdivision Number 1,  
Resubdivision of Lot 1**

**Case Number: SFP-10-012**

**OWNER:** 950 Brushy Creek Road LLC

**AGENT:** Walter Hoysa, Longaro and Clarke

**STAFF:** Amy Link, 401-5056, [amy.link@cedarparktexas.gov](mailto:amy.link@cedarparktexas.gov)

**LOCATION:** Southeast corner of Brushy Creek Road and 183A

**COUNTY:** Williamson

**AREA:** 20.36 acres

**ZONING:** LI

**SUBDIVISION DESCRIPTION:** 3 industrial lots

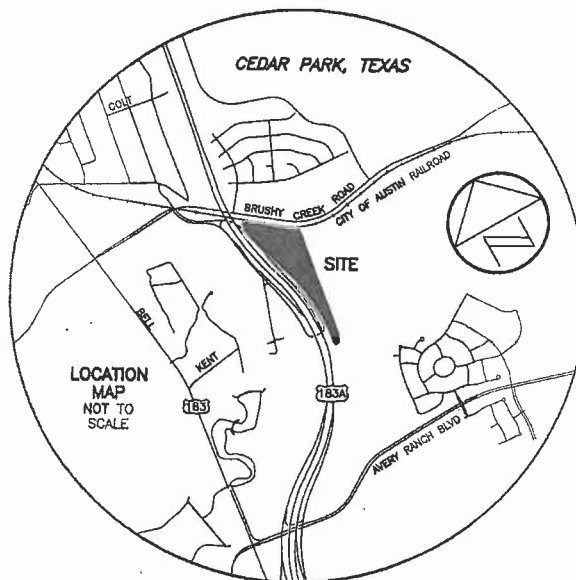
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**STAFF COMMENTS:**

This plat meets all state and local requirements.

**STAFF RECOMMENDATION:**

After conducting a public hearing, staff recommends approval of this resubdivision.



April 16, 2013

## Planning and Zoning Commission

Item:  
13A

Ordinance  
Amendment

### Ordinance Amendment - Zoning Chapter 11 Corridor Overlay

**OA-13-001**

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktexas.gov](mailto:rawls.howard@cedarparktexas.gov)

At the request of City Council, staff is proposing the following amendment to Chapter 11, Zoning, Article 11.02 Zoning Districts and Regulations, Division 33 Corridor Overlay, Section 11.02.278 to expand the boundary of the Corridor Overlay from 400 feet to 500 feet on either side of the street right-of-way for all roadways identified in the Overlay. Streets encompassed by the Overlay include:

- Anderson Mill Road
- Arterial A; Arrowpoint Drive south of E. Whitestone Boulevard
- Bagdad Road from W. Whitestone Boulevard to the City limits
- Brushy Creek Road
- C-Bar Ranch Trail, north of E. Whitestone Boulevard
- Colonial Parkway
- Cottonwood Creek Trail (CR 185)
- Cypress Creek Road and E. Cypress Creek Rd.
- Lakeline Boulevard
- Little Elm Trail from RM 620 to Chimney Swift Trail and Wood Ridge Lane to US 183
- Medical Parkway
- E. New Hope Drive
- W. New Hope Drive from US 183 to W. Whitestone Blvd. (RM1431)
- Park Street from Greater Scaup Ln. to Vista Ridge Blvd.
- W. Park Street from Lakeline Blvd. to Anderson Mill Rd.
- Parmer Lane
- Ronald W. Reagan Boulevard
- Vista Ridge Boulevard
- RM 620 (SH 45)
- RM 1431 (Whitestone Boulevard)
- Sam Bass Road (CR 175) north of E. Whitestone Blvd.
- US 183 (Bell Boulevard)
- 183A Toll Road

Proposed amendment to the Zoning Ordinance is shown below.

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#### **DIVISION 33: CORRIDOR OVERLAY, CO (CO)**

##### **Sec. 11.02.278 City Corridor Overlay boundaries**

The Corridor Overlay standards apply to the future development and use of all land within ~~four hundred (400)~~ five hundred (500) feet on either side of the street right-of-way along the following specified thoroughfare segments.

April 16, 2013

# Planning and Zoning Commission

Item:  
13B

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Condominium Residential Setbacks

OA-13-002

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktexas.gov](mailto:rawls.howard@cedarparktexas.gov)

In response to recent condominium residential development proposals in the City, staff is proposing amendments to the lot standards and setback regulations within the Condominium Residential (CD) zoning district.

Currently, Section 11.03.001, Minimum Standards for Single Family and Multifamily Residential requires a minimum 25 foot front setback and a minimum 15 foot side setback adjacent to a public street. However, the specific setback regulations outlined in Section 11.03.011 identify a varying front setback based upon location of off-street parking and the side setback adjacent to a public street varies depending upon the adjacent roadway type. Therefore, staff recommends amending Section 11.03.001 to denote these varying requirements for the front and side setbacks adjacent to a public street as shown below.

### Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
Front Setback (3)(4)	25'	25'	50'	25'	30'	25'	25'	varies (2)	<del>25'</del> Varies (2)	25'	25'
Side Setback adjacent to public street (3)	25'	15'	25'	25'	20'	15'	15'	varies (2)	<del>15'</del> Varies (2)	25'	25'

Secondly, in lieu of traditional condominium projects where units are attached, recent condominium developments propose detached residential units, mirroring a more traditional single family development. Currently, Section 11.03.011(2)-Side Setbacks requires a minimum of 10 feet of unobstructed distance between any condominium clusters consisting of contiguous dwelling units. However, Section 11.03.011(4)-Building to Building Setbacks requires a minimum distance of 15 feet between two unattached principal buildings. Staff is proposing to eliminate the side setback requirement for cluster condominium units and to revise the building to building setback requirements to maintain one standard of 10 feet between principal buildings. The 10 foot separation would apply to any two principal buildings, whether cluster or detached buildings. The proposed revisions are shown below.

#### 2. Side Setback

The minimum side setback shall be ten (10) feet on lots siding on alleys.

April 16, 2013

# Planning and Zoning Commission

Item:

13B

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Condominium Residential Setbacks

OA-13-002

The minimum side setback on corner lots shall be fifteen (15) feet on minor streets, twenty (20) feet on secondary and collector streets, and twenty five (25) feet on arterial streets.

~~There shall be a minimum of ten (10) feet of unobstructed distance between any condominium cluster consisting of contiguous dwelling units.~~

### 4. Building to Building Setbacks

The minimum distance between any two (2) ~~unattached~~ principal buildings shall be ~~fifteen (15)~~ ten (10) feet. Whenever two (2) principal structures are arranged face-to-face or back-to-back, the minimum distance shall be forty (40) feet. The point of measurement shall be the exterior walls of the building and does not include balconies, railings, or other architectural features.

Finally, Section 11.03.011(C) currently limits the height of condominium structures to one story within 50 feet of a single family residential use or zoning district. This standard was put in place to provide compatibility between a cluster of attached condominium units and single family developments. However, this regulation did not contemplate detached condominium developments, resembling a traditional single family development. Height restrictions between detached condominiums and single family residences are not as beneficial, since the maximum height of both condominium developments and single family developments is 35 feet and detached condos closely resemble single family subdivisions. Therefore, staff proposes to revise the height restriction language to just apply the one story limitation to condo clusters consisting of contiguous units. The proposed language is provided below.

### C. Height Regulations

1. Principal structures shall be a maximum of two stories, not to exceed thirty five (35) feet in height. ~~Principal structures~~ Condominium clusters consisting of contiguous dwelling units shall not exceed one story within fifty (50) feet of the property line when it abuts a single-family residential use or a permanent single-family residential use district.



April 16, 2013

# Planning and Zoning Commission

Item:  
13C

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Interpretation of Conflicting Provisions

OA-13-003

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktexas.gov](mailto:rawls.howard@cedarparktexas.gov)

To clarify the interpretation of conflicting provisions within the City's Code of Ordinances or between the City's Code and other applicable state and local requirements, staff is proposing the following amendments to Chapter 11, Article 11.01 Zoning, Division 3 Administration, Section 11.01.016; and Article 11.02 Zoning Districts and Regulations, Division 35 Conditional and Special Use Permits; and Article 11.08 Performance Standards for All Districts, Division 1 Performance Standards, Section 11.08.001 as provided below.

### ARTICLE 11.01 ZONING DIVISION 3: ADMINISTRATION

#### Sec. 11.01.016 Interpretation

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum regulations for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this Chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties, except that if this Chapter imposes a greater restriction, this Chapter shall control. To the extent of any conflict between the provisions of this Chapter or between the provisions of this Chapter and any other provision of applicable federal, state, or local law, the more restrictive provision shall apply.

### ARTICLE 11.02 ZONING DISTRICTS AND REGULATIONS DIVISION 35: CONDITIONS AND SPECIAL USE PERMITS

#### Sec. 11.02.314 Conflict

To the extent of any conflict between the provisions of this Article, the terms of any conditional or special use permit granted hereunder, the provisions of this Chapter, or any applicable federal, state, or local law, the more restrictive provision shall apply.

### ARTICLE 11.08 PERFORMANCE STANDARDS FOR ALL DISTRICTS DIVISION 1: PERFORMANCE STANDARDS

#### Sec. 11.08.001 General

Specifically, all uses shall operate in conformance with the standards set forth in each section below. In all areas of concern contained in this division that are governed by federal, state or local laws, the most current laws, regulations, standards and guidelines shall apply, and in the event of ~~duplicity~~ conflict, the most restrictive shall apply.

April 16, 2013

# Planning and Zoning Commission

Item:  
13D

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Masonry Requirements

OA-13-004

**STAFF:** Rawls Howard, 401-5066, [rawls.howard@cedarparktexas.gov](mailto:rawls.howard@cedarparktexas.gov)

Staff is proposing the following amendments to Chapter 11, Zoning, Article 11.02 Zoning Districts and Regulations, Division 11 Town Home Residential District, Section 11.02.084, 11.02.095, and 11.02.096; Division 20 Commercial Services District, Section 11.02.172; Article 11.04 Accessory Structures, Division 1 Accessory Structures, Section 11.04.002; Article 11.05 Architectural Design Standards, Division 2 Masonry Standards, Section 11.05.008 and 11.05.009 to clarify masonry standards.

These amendments result from a review of our zoning districts following adoption of Article 11.05 Architectural Standards, Division 2, Masonry Standards. The amendments reflect elimination of duplicate or conflicting requirements listed in the individual zoning districts and the Masonry Standards Division in Article 11.05.

The proposed amendments to the Zoning Ordinance are shown below.

---

### Sec. 11.02.084 Building regulations for residential uses

A. No residential dwelling shall be constructed or located on any lot in this district that contains less than one thousand one hundred (1,100) square feet within the living area, excluding common corridors, basements, open and screened porches, and garages.

(Ordinance CO33-07-06-28-5D adopted 6/28/07; Ordinance CO04-08-10-09-C4 adopted 10/9/08)

~~B. Reserved. (Ordinance CO49-12-04-12-F3, ex. A, adopted 4/12/12)~~

~~C. For an addition to an existing principle structure having fifty (50) percent masonry on the exterior walls, or when the addition contains one-half or more square footage than the building footprint before the addition, a minimum of fifty (50) percent masonry construction is required for the overall structure, including the addition.~~

April 16, 2013

*Planning and Zoning Commission*

Item:  
13D

Ordinance  
Amendment

**Ordinance Amendment - Zoning Chapter 11  
Masonry Requirements**

**OA-13-004**

**Sec. 11.02.095 Building regulations for residential uses**

A. No residential dwelling shall be constructed or located on any lot in this district that contains less than one thousand one hundred (1,100) square feet within the living area, excluding common corridors, basements, open and screened porches, and garages.

(Ordinance CO33-07-06-28-5D adopted 6/28/07; Ordinance CO04-08-10-09-C4 adopted 10/9/08)

B. Reserved. (Ordinance CO49-12-04-12-F3, ex. A, adopted 4/12/12)

C. ~~For an addition to an existing principle structure having fifty (50) percent masonry on the exterior walls, or when the addition contains one half or more square footage than the building footprint before the addition, a minimum of fifty (50) percent masonry construction is required for the overall structure, including the addition~~Reserved.

D. Each condominium residence shall have a two-car garage, either attached or detached. Tandem garages shall be allowed as an alternative only for townhouse residences. The two-car garage shall count toward one required parking space under the parking regulations provided for in Chapter 14, Article 14.06 [14.05], Off-Street Parking and Loading Space Regulations.

E. Required garages shall not be permitted to convert to residential space or any other use.

F. Any residential dwellings with driveways accessing from alleys instead of the public street shall have exterior back doors set on hinges with deadbolt locks (not sliding glass doors).

G. Condominium buildings shall be designed with a variation in the horizontal and vertical elevations of at least three (3) feet for every two (2) attached townhouses to prevent the appearance of straight, unbroken lines in their horizontal and vertical planes.

H. No highly reflective surface shall be permitted, including mirrored glass. A reflective metal roof may be used if the pitch does not exceed a run of seven to a rise of twelve (7:12), unless the reflective surface is a solar panel or a copper or painted metal roof.

I. No certificate of occupancy shall be issued until access and landscaping for all common areas have been constructed and/or installed.



April 16, 2013

# Planning and Zoning Commission

Item:  
13D

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Masonry Requirements

OA-13-004

### Sec. 11.02.096 Building regulations for nonresidential uses

- A. Nonresidential principle buildings shall be a minimum size of one thousand five hundred (1,500) square feet.
- B. No building shall contain a single continuous exterior wall plane that exceeds one hundred (100) feet in length. ~~All exterior walls shall be finished with at least fifty (50) percent masonry construction.~~
- C. Awnings and canopies may be made of sheet metal or canvas membrane. Plastic or vinyl awnings are not permitted.
- D. All ground floor building faces shall utilize the same or similar building front and architectural treatments on all sides visible from the street or adjacent residences.
- E. Pitched roofs shall be required on all buildings in this district. The slope of the pitch shall be a minimum ratio of 4:12.
- F. Window and door fenestration glazed openings shall account for at least twenty-five (25) percent of the overall wall surface along walls visible from a lot line. These standards shall be applied separately for each building face of each floor or building level. Mirrored glass is not permitted.

~~G. Each exterior wall area of a site built in this district shall have a minimum of fifty (50) masonry construction exclusive of doors and windows. No EIFS or metal panels with factory applied coatings shall be used for exterior walls.~~

~~The percentage masonry requirement may be reduced on individual walls if the following criteria are met:~~

- ~~1. The wall face(s) where the reduction is being applied is not visible from any adjacent public ways;~~
- ~~2. The overall building meets the percentage masonry required by the district plus ten (10) percent; and~~
- ~~3. The wall(s) with the reduced masonry provide one or a combination of architectural elements listed below:~~

April 16, 2013

# Planning and Zoning Commission

Item:  
13D

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Masonry Requirements

OA-13-004

~~a. — At least 50 percent of the length of the exterior wall(s) shall be covered by awnings that have a minimum depth of ten (10) feet, or~~

~~b. — At least 50 percent of the length of the exterior wall(s) shall be covered by windows, columns, trellises or arbors that are mounted to the exterior wall of the building a minimum of twelve (12) feet and not to exceed twenty (20) feet in height.~~

~~4. — Example: (Wall 1 = 40%; Wall 2 = 50%; Wall 3 = 50%; Wall 4 = 70%)/4 = Total wall area of 60%~~

### Sec. 11.02.172 Regulations specific to self-storage facilities

1. A self storage facility requires a four (4) acre minimum tract that includes an office, enclosed individual self storage lease space, and may include a caretaker residence and limited outdoor parking lease spaces for boats, RV's, trucks, [and] trailers. This provision shall not be interpreted to allow the storage of wrecked or inoperable vehicles.
2. A six (6) foot privacy fence constructed of cementitious fiberboard or masonry construction, is required for the entire area that includes the self storage use, with exception of the office and its customer and employee parking. Wrought iron or black tubular steel fencing may be substituted for masonry only at the gates. The outer wall of the building, when constructed of brick, stone, or tilt wall, may serve also as that portion of the fence, however the required building setback remains. Cinderblocks are not allowed for the fence, however split-faced concrete may be used. Self storage building that are designed for interior hallway access only, with no individual exterior access doors, are exempt from the fencing requirement.
3. A twenty (20) foot fire lane shall be required between the periphery fence and/or buffer and the storage buildings and storage parking to provide for emergency access. When the rear or outer wall of a masonry building is used instead of a periphery fence, the twenty (20) foot fire lane shall be located at the front of this building.
4. Outdoor storage/parking of boats, RV's, trailers, etc. shall be located a minimum of twenty (20) feet from any property line.
5. A caretaker residence shall be permitted in connection with the office at the entry to the development. The caretaker residence shall be a minimum of eight hundred (800) square feet and shall fully comply with the building code for a multifamily residential unit.

April 16, 2013

## Planning and Zoning Commission

Item:  
13D

Ordinance  
Amendment

### Ordinance Amendment - Zoning Chapter 11 Masonry Requirements

OA-13-004

6. The exterior of all buildings, including exterior walls, roofs, trim and doors shall be finished in neutral earthen colors.
7. The ~~exterior facade of the~~ building containing the office/caretaker residence ~~shall contain a minimum of fifty (50) percent masonry, shall not contain sheet metal siding on the front and side exterior walls, and~~ shall have a pitched roof.
8. ~~The exterior of the self-storage buildings may be constructed of sheet metal siding, wooderete, and/or masonry construction but shall not be constructed with EIFS or wood.~~Reserved.
9. Outdoor displays (signs) that do not identify the nature of the self-storage facility itself shall not be permitted on the premises.

#### Sec. 11.04.002 Accessory structures not requiring a building permit (residential uses)

- A. One-story detached accessory buildings used as tool and storage sheds, playhouses, and/or similar uses, provided the floor area is equal to or less than eighty (80) square feet.
- B. Ponds, fountains, and landscape features, provided any electrical work is permitted and is done by a master electrician registered with the City of Cedar Park.
- C. Prefabricated swimming pools that are less than twenty four (24) inches deep, do not exceed five thousand (5,000) gallons, and are installed entirely above ground.
- D. Swings and other playground equipment accessory to one and two family dwellings.
- E. These accessory structures shall comply with the following regulations:
  1. A minimum setback of five (5) feet from the side lot line and/or the rear lot line. Accessory buildings shall have a minimum fifteen (15) foot setback from the side lot line when the lot line is located adjacent to a public or private street, and a minimum ten (10) foot setback from the rear lot line when the lot line is located adjacent to a public or private street.
  2. A minimum setback of ten (10) feet from the principal building.

April 16, 2013

# Planning and Zoning Commission

Item:  
13D

Ordinance  
Amendment

## Ordinance Amendment - Zoning Chapter 11 Masonry Requirements

OA-13-004

3. May be located in the rear or side yard as long as all setbacks are maintained. However, if located in the side yard the accessory structure may not be closer than 25' from the front setback.

4. Building height is a maximum of twelve (12) feet.

5. Locating such structures within a public utility easement shall be at the owner's risk and shall be required to be removed by the owner at any time to provide for full access to the utility easement.

~~6. No masonry is required for accessory buildings within this section.~~

F. Accessory dwelling units are not included in this section.

### Sec. 11.05.008 Accessory Structures

A. For Accessory Structures subject to the requirements of Sections 11.04.002 and 11.04.003, no masonry is required.

B. For Accessory Structures subject to the requirements of Section 11.04.004, the following requirements apply:

1. For nonresidential accessory structures when the principal structure(s) contains twenty-five (25) percent or more masonry exclusive of doors and windows, fifty (50) percent masonry construction is required.

2. For residential accessory structures where the principle structure(s) contains twenty-five (25) percent or more masonry and the accessory structure is not located behind a privacy fence or is visible from a public way, fifty (50) percent masonry construction is required.

3. For existing principle structures constructed of cementitious fiberboard (e.g. Hardi-plank), wood, or vinyl siding and having less than twenty-five (25) percent masonry, accessory structures may be constructed of the same material.

April 16, 2013

*Planning and Zoning Commission*

**Item:  
13D**

Ordinance  
Amendment

**Ordinance Amendment - Zoning Chapter 11  
Masonry Requirements**

**OA-13-004**

**Sec. 11.05.009 Additions**

A. For additions to residential uses in the MH, ES, SF, SF-1, SF-2, and SF-3 zoning districts:

1. For an addition to an existing principle structure that, before the addition, has at least fifty (50) percent masonry on the exterior walls, the masonry construction of the resulting addition and principle structure shall equal or exceed that of the pre-addition principle structure.
2. When adding to an existing principle structure that, before the addition, does not have fifty (50) percent of the exterior walls comprised of masonry construction, the exterior walls of the addition are not required to have masonry. The exterior walls of the addition shall be constructed of materials that are consistent in appearance and are equal to or exceeds the quality standards of the exterior materials on the principle structure where the addition is adjoining the building.

B. For additions to residential uses in the TH and CD zoning district:

1. For an addition to an existing principle structure having fifty (50) percent masonry on the exterior walls, or when the addition contains one-half or more square footage than the building footprint before the addition, a minimum of fifty (50) percent masonry construction is required for the overall structure, including the addition.